

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DISCOVERY GLOBAL CITIZENS
MASTER FUND, LTD., et al.,

Plaintiffs,

v.

VALEANT PHARMACEUTICALS
INTERNATIONAL, INC., et al.,

Defendants.

Civil Action No. 16-7321 (MAS) (LHG)

ORDER

MSD TORCHLIGHT PARTNERS, L.P., et
al.,

Plaintiffs,

v.

VALEANT PHARMACEUTICALS
INTERNATIONAL, INC., et al.,

Defendants.

Civil Action No. 16-7324 (MAS) (LHG)

BLUEMOUNTAIN FOINAVEN
MASTER FUND, L.P., et al.,

Plaintiffs,

v.

VALEANT PHARMACEUTICALS
INTERNATIONAL, INC., et al.,

Defendants.

Civil Action No. 16-7328 (MAS) (LHG)

INCLINE GLOBAL MASTER LP, INC.,
et al.,

Plaintiffs,

v.

VALEANT PHARMACEUTICALS
INTERNATIONAL, INC., et al.,

Defendants.

Civil Action No. 16-7494 (MAS) (LHG)

VALIC COMPANY I, et al.,

Plaintiffs,

v.

VALEANT PHARMACEUTICALS
INTERNATIONAL, INC., et al.,

Defendants.

Civil Action No. 16-7496 (MAS) (LHG)

JANUS ASPEN SERIES, et al.,

Plaintiffs,

v.

VALEANT PHARMACEUTICALS
INTERNATIONAL, INC., et al.,

Defendants.

Civil Action No. 16-7497 (MAS) (LHG)

This matter comes before the Court on eighteen partial Motions to Dismiss in the above matters by Defendants Valeant Pharmaceuticals International, Inc. ("Valeant"), J. Michael Pearson ("Pearson"), and Howard B. Schiller ("Schiller") (collectively, "Defendants"). Plaintiffs opposed

(ECF No. 47)¹ and Valeant and Schiller replied (ECF Nos. 53, 54). The Court has carefully considered the parties' submissions and decides the matter without oral argument pursuant to Local Civil Rule 78.1. For the reasons set forth in the accompanying Memorandum Opinion, and for other good cause shown,

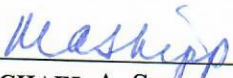
IT IS on this 12th day of January 2018, **ORDERED** that:

1. Valeant's Partial Motion to Dismiss in *Discovery Global Citizens Master Fund, LTD., et al. v. Valeant Pharmaceuticals International, Inc., et al.*, Civil Action No. 16-7321 ("*Discovery Global*") (ECF No. 37) is: (i) **DENIED** as to Counts I and III; and (ii) **GRANTED** as to Count IV.
2. Schiller's Partial Motion to Dismiss in *Discovery Global* (ECF No. 38) is: (i) **DENIED** as to Counts I and III; and (ii) **GRANTED** as to Count IV.
3. Pearson's Partial Motion to Dismiss in *Discovery Global* (ECF No. 39) is: (i) **DENIED** as to Counts I, II and III; and (ii) **GRANTED** as to Count IV.
4. Valeant's Partial Motion to Dismiss in *MSD Torchlight Partners, L.P., et al. v. Valeant Pharmaceuticals International, Inc., et al.*, Civil Action No. 16-7324 ("*MSD Torchlight*") (ECF No. 37) is: (i) **DENIED** as to Counts I and III; and (ii) **GRANTED** as to Count IV.
5. Schiller's Partial Motion to Dismiss in *MSD Torchlight* (ECF No. 38) is: (i) **DENIED** as to Counts I and III; and (ii) **GRANTED** as to Count IV.
6. Pearson's Partial Motion to Dismiss in *MSD Torchlight* (ECF No. 39) is: (i) **DENIED** as to Counts I, II and III; and (ii) **GRANTED** as to Count IV.

¹ Record citations refer to *Janus* unless otherwise specified.

7. Valeant's Partial Motion to Dismiss in *BlueMountain Foinaven Master Fund L.P. et al. v. Valeant Pharmaceuticals International, Inc., et al.*, Civil Action No. 16-7328 ("*BlueMountain*") (ECF No. 37) is: (i) **DENIED** as to Counts I and III; and (ii) **GRANTED** as to Count IV.
8. Schiller's Partial Motion to Dismiss in *BlueMountain* (ECF No. 38) is: (i) **DENIED** as to Counts I and III; and (ii) **GRANTED** as to Count IV.
9. Pearson's Partial Motion to Dismiss in *BlueMountain* (ECF No. 39) is: (i) **DENIED** as to Counts I, II and III; and (ii) **GRANTED** as to Count IV.
10. Valeant's Partial Motion to Dismiss in *Incline Global Master LP et al. v. Valeant Pharmaceuticals International, Inc., et al.*, Civil Action No. 16-7494 ("*Incline Global*") (ECF No. 38) is: (i) **DENIED** as to Counts I and III; and (ii) **GRANTED** as to Count IV.
11. Schiller's Partial Motion to Dismiss in *Incline Global* (ECF No. 39) is: (i) **DENIED** as to Counts I and III; and (ii) **GRANTED** as to Count IV.
12. Pearson's Partial Motion to Dismiss in *Incline Global* (ECF No. 40) is: (i) **DENIED** as to Counts I, II and III; and (ii) **GRANTED** as to Count IV.
13. Valeant's Partial Motion to Dismiss in *VALIC Company I, et al. v. Valeant Pharmaceuticals, International, Inc., et al.*, Civil Action No. 16-7496 ("*VALIC*") (ECF No. 38) is: (i) **DENIED** as to Counts I and III; and (ii) **GRANTED** as to Count IV.
14. Schiller's Partial Motion to Dismiss in *VALIC* (ECF No. 39) is: (i) **DENIED** as to Counts I and III; and (ii) **GRANTED** as to Count IV.

15. Pearson's Partial Motion to Dismiss in *VALIC* (ECF No. 40) is: (i) **DENIED** as to Counts I, II and III; and (ii) **GRANTED** as to Count IV.
16. Valeant's Partial Motion to Dismiss in *Janus Aspen Series, et al. v. Valeant Pharmaceuticals International, Inc.*, Civil Action No. 16-7497 ("*Janus*") (ECF No. 46) is: (i) **DENIED** as to Counts I and III; and (ii) **GRANTED** as to Count IV.
17. Schiller's Partial Motion to Dismiss in *Janus* (ECF No. 47) is: (i) **DENIED** as to Counts I and III; and (ii) **GRANTED** as to Count IV.
18. Pearson's Partial Motion to Dismiss in *Janus* (ECF No. 48) is: (i) **DENIED** as to Counts I, II and III; and (ii) **GRANTED** as to Count IV.



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE